

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS BUREAU**

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**BRIAN L GRADOVILLE**  
Claimant

**LINN COUNTY HUMAN RESOURCES DEPT**  
Employer

**APPEAL 17A-UI-07154-LJ-T**  
**ADMINISTRATIVE LAW JUDGE  
DECISION**

**OC: 06/18/17**  
**Claimant: Appellant (1)**

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Iowa Code § 96.5(1) – Voluntary Quitting  
Iowa Admin. Code r. 871-24.25(21) – Quit Due to Dissatisfaction with Work Environment  
Iowa Admin. Code r. 871-24.25(22) – Quit Due to Personality Conflict with Supervisor

**STATEMENT OF THE CASE:**

The claimant filed an appeal from the July 10, 2017 (reference 01) unemployment insurance decision that denied benefits based upon a determination that claimant voluntarily quit working for personal reasons. The parties were properly notified of the hearing. A telephone hearing was held on July 31, 2017. The claimant, Brian L. Gradoville, participated. The employer, Linn County Human Resources Department, sent in written notice stating it would not be participating in the hearing.

**ISSUE:**

Did claimant voluntarily quit the employment with good cause attributable to employer?

**FINDINGS OF FACT:**

Having reviewed all of the evidence in the record, the administrative law judge finds: Claimant was employed full time, most recently as an office manager, from March 1999 until May 3, 2017, when he resigned. Claimant submitted his written resignation on April 6, 2017, but he was compensated through May 3, 2017.

Claimant chose to resign because he felt the County Treasurer, Sharon Gonzales, was placing him in a position to fail. The office was experiencing a breakdown of communication, and claimant felt he was no longer welcome as an employee. At times, claimant felt that he and management were not communicating the same information to employees, so employees were becoming disgruntled. Claimant also felt that staff was being played against management, and he could no longer trust anyone. Claimant had not received any write-ups or disciplinary actions, though he felt he was no longer able to perform his job to Gonzales's satisfaction. He requested that Gonzales and he hold their weekly meeting on several occasions, but this did not happen. Instead, claimant and Gonzales met along with other management. Nothing was accomplished at these larger meetings.

## REASONING AND CONCLUSIONS OF LAW:

For the reasons that follow, the administrative law judge concludes claimant's separation was without good cause attributable to the employer. Benefits are withheld.

Iowa Code §96.5(1) provides:

An individual shall be disqualified for benefits:

1. Voluntary quitting. If the individual has left work voluntarily without good cause attributable to the individual's employer, if so found by the department.

Iowa Admin. Code r. 871-24.25 provides:

Voluntary quit without good cause. In general, a voluntary quit means discontinuing the employment because the employee no longer desires to remain in the relationship of an employee with the employer from whom the employee has separated. The employer has the burden of proving that the claimant is disqualified for benefits pursuant to Iowa Code section 96.5. However, the claimant has the initial burden to produce evidence that the claimant is not disqualified for benefits in cases involving Iowa Code section 96.5, subsection (1), paragraphs "a" through "i," and subsection 10. The following reasons for a voluntary quit shall be presumed to be without good cause attributable to the employer:...

(21) The claimant left because of dissatisfaction with the work environment.

(22) The claimant left because of a personality conflict with the supervisor.

Claimant has the burden of proving that the voluntary leaving was for good cause attributable to the employer. Iowa Code § 96.6(2). "Good cause" for leaving employment must be that which is reasonable to the average person, not the overly sensitive individual or the claimant in particular. *Uniweld Products v. Indus. Relations Comm'n*, 277 So.2d 827 (Fla. Dist. Ct. App. 1973). Here, the average person in claimant's situation would not have felt similarly compelled to quit his employment without first securing another job. A voluntary leaving of employment requires an intention to terminate the employment relationship accompanied by an overt act of carrying out that intention. *Local Lodge #1426 v. Wilson Trailer*, 289 N.W.2d 608, 612 (Iowa 1980). Claimant submitted a resignation and left his employment. His decision to leave employment was without good cause attributable to the employer. Benefits are withheld.

**DECISION:**

The July 10, 2017 (reference 01) unemployment insurance decision is affirmed. Claimant separated from employment without good cause attributable to the employer. Benefits are withheld until such time as he has worked in and been paid wages for insured work equal to ten times his weekly benefit amount, provided he is otherwise eligible.

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Elizabeth A. Johnson  
Administrative Law Judge

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Decision Dated and Mailed

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